

<b>RICHARD BOARDMAN</b> Director of Public Works	<b>County of Mono</b>	<b>TELEPHONE</b> (760) 932-5440
<b>EVAN NIKIRK</b> Assistant Director of Public Works <b>KELLY GARCIA</b> Assistant Director of Public Works	<b>Department of Public Works</b>	<b>FACSIMILE</b> (760) 932-5441
<b>STEVE ANDERSON</b> SW/Road Operations Manager		monopw@mono.ca.gov
<b>SUSAN ARELLANO</b> Administrative Supervisor	Post Office Box 457 • 74 North School Street • Bridgeport, California 93517	

**APPLICATION FOR COUNTY ROAD ENCROACHMENT PERMIT**  
(Mono County Code Chapter 13.04)

Property Location:

Road Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Assessor's Parcel Number: \_\_\_\_\_

Describe work in road right of way (i.e., construct asphalt drive with 24" culvert, etc.). All work must be consistent with Rural Residential Drive Approach Road Standard Plans (see attached).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Cost: \_\_\_\_\_

Property Owner (Permittee): \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_


Signature: \_\_\_\_\_ Date: \_\_\_\_\_

THIS DOCUMENT MUST BE SIGNED AND SUBMITTED WITH "ATTACHMENT A" AND THE APPROPRIATE FEES.

Fees:

The following fees (as applicable) must be submitted with this application. Applications submitted without appropriate fees will be considered incomplete and returned to the applicant.

- A. Residential Drive: \$210.00 application fee for all driveways plus a \$500.00 security deposit.
- B. Public Utility Blanket Permit: \$210.00 application fee, (renewable annually), plus a \$500.00 security deposit. (Covers routine maintenance activities and new service connections only).
- C. All other encroachment activities: \$210.00 application fee plus 1.5% of the estimated construction costs.
- D. Penalties: Where work is started or proceeded prior to obtaining said permit, applicable fees plus a penalty fee equal to the amount of such fees will be required.
- E. Note: The final encroachment permit fee will be based on the actual cost of providing the service. Staff time will be charged against the initial deposit. Should the actual cost of administering the permit exceed the deposit, an additional amount shall be paid prior to final permit approval. Should the actual cost of administering the permit be less than the amount on deposit, the applicant shall receive a refund at the time of final permit approval.

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## ENCROACHMENT PERMIT GENERAL PROVISIONS

1. **Authority:** This permit is issued in accordance with Chapter 13.04 of the Mono County Code.
2. **Revocation:** Terms and conditions for any Encroachment Permit issued are revocable, subject to modification, or abrogation at any time. However, prior rights, including those evidenced by joint use agreement, franchise rights, or reserved right for operating purposes in a grant of highway easement, are not so subjected to revocation.
3. **Responsible Party:** No party other than the named Permittee or contractor of the Permittee is authorized to work under this permit.
4. **Acceptance of Provisions:** It is understood and agreed by the Permittee that the doing of any work or the maintaining of the encroachment under this permit shall constitute an acceptance of the provisions of this permit and all attachments.
5. **No Precedent Established:** This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any kind of encroachment to be erected within the right of way of County roads.
6. **Notice Prior to Starting Work:** Before starting work under this permit, the Permittee shall notify the Department of Public Works 48 hours prior to the initial start of work.
7. **Keep Permit on the Work:** This permit or a copy thereof shall be kept at the site of the work and must be shown to any representative of the Department of Public Works or any law enforcement officer on demand.
8. **Permits From Other Agencies:** The party or parties to whom this permit is issued shall, whenever the same is required by law, secure the written order or consent to any work hereunder from the Public Utilities Commission of the State of California, Cal-OSHA, or any other public agency having jurisdiction, and this permit shall not be valid until such order or consent is obtained.
9. **Protection of Traffic:** Adequate provisions shall be made for the protection of the traveling public. The warning signs, lights and other safety devices and other measures required for the public safety, shall conform to and follow the requirements of Section 21401 of the Vehicle Code and of any sign manual issued by the Department of Public Works. Nothing in this permit is intended to impose on the Permittee any different or higher standard of care than that required by law.
10. **Minimum Interference with Traffic:** All work shall be planned and varied out so that there will be the least possible inconvenience to the traveling public. Permittee is directed

to place flagmen to stop and warn traffic for necessary protection to public safety, but traffic shall not be unreasonably delayed. The road shall not be closed or traffic lanes blocked unless specifically authorized by this permit or without first obtaining permission from the Department of Public Works. When permission is obtained, the Permittee shall notify the Highway Patrol, Sheriff's Department and Fire Department prior to closing road.

- 11. Storage of Materials:** No material shall be stored within eight (8) feet from the edge of pavement or traveled way or within the shoulder line where the shoulders are wider than eight (8) feet.
- 12. Clean Up Right of Way:** Upon completion of the work, or as otherwise directed, all brush, timber, scraps, material, etc., shall be entirely removed and the highway left in as presentable condition as existed before work started.
- 13. Standards of Construction:** All work performed within the County Road shall conform to the requirements of the Department of Public Works, and be subject to inspection and approval by the Department.
- 14. Expense of Inspection:** When the Permittee is to be billed actual costs, such costs will include salaries, traveling expenses, incidental expenses and overhead.
- 15. Future Moving of Installation:** It is understood by the Permittee that whenever construction, reconstruction, or maintenance work on the highway may require that the installation provided for herein shall, upon request by the Department of Public Works, be immediately moved by, and at the sole expense of, the Permittee.
- 16. Liability for Damages:** The Permittee is responsible for all liability for personal injury or property damage that may arise out of work herein permitted, or the encroachment to be maintained hereunder, or that may arise out of failure on the Permittee's part to perform his obligations under this permit in respect to maintenance. In the event any claim of such is made against the County of Mono, or any department, officer, or employee thereof, Permittee shall defend, indemnify and hold them and each of them harmless from such claim. Nothing herein is intended to impose on the Permittee any different or higher standard of care than that required by law.
- 17. Bonding:** This permit shall not be effective for any purpose unless and until the Permittee files with the Department of Public Works, a Faithful Performance Bond or other acceptable sureties in the form and amount established by the Department of Public Works, to ensure that the work will be done in conformance with the permit. A bond is not ordinarily required of any public corporation of publicly or privately owned utility, but will be required of any utility that fails to meet any obligation arising out of the work permitted or done under a permit or fails to maintain its plant, work or facilities.
- 18. Making Repairs:** In every case, the Permittee shall be responsible for restoring to its former condition any portion of the highway that has been excavated or otherwise disturbed except where the Department of Public Works elects to make repairs to paving and except where provision to the contrary is made in the permit. If highway is not restored as herein provided, or if the Department elects to make repairs, Permittee agrees by acceptance of the permit to bear the cost of liability.
- 19. Guarantee of Work:** The Permittee shall maintain the surface over facilities placed for a period of one (1) year after completion.
- 20. Maintenance:** The Permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment placed by it in the highway and to exercise reasonable care in inspection of and immediately repairing and making good any injury to any portion of the highway that occurs as a result of the maintenance of the encroachment in the highway or as result of the work done under this permit, including any and all injury to the highway that would not have occurred had such work not been done or such encroachment not been placed therein.



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

Post Office Box 457 • 74 North School Street • Bridgeport, California 93517  
(760) 932-5440 • Fax (760) 932-5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov)

Evan Nikirk, PE  
Director

Kelly Garcia, PE  
Assistant Director

## APPLICATION FOR COUNTY ROAD ENCROACHMENT PERMIT (Mono County Code Chapter 13.04)

# EXAMPLE

Property Location:

Road Name: DUSTY LANE

Street Address: 123 DUSTY LANE

Assessor's Parcel Number: 00-000-00

Describe work in road right of way: (ie. Construct asphalt drive with 24" culvert, etc.) All work must be consistent with Rural Residential Drive Approach Road Standard Plans, see attached.

CONSTRUCT A DRIVEWAY 20 FEET IN WIDTH. THE DRAINAGE SWALE WILL BE 8 FEET FROM AND 5 INCHES BELOW THE EDGE OF STREET PAVMENT WITH A 6% UPSLOPE TO GARAGE

Estimated Cost: \$5,000

Property Owner (Permit tee): JOHN & JANE DOE Telephone: 760-000-0000

Mailing Address: BOX 000 YOUR TOWN ST. ZIP

Signature: John Doe Date: 3/29/2000

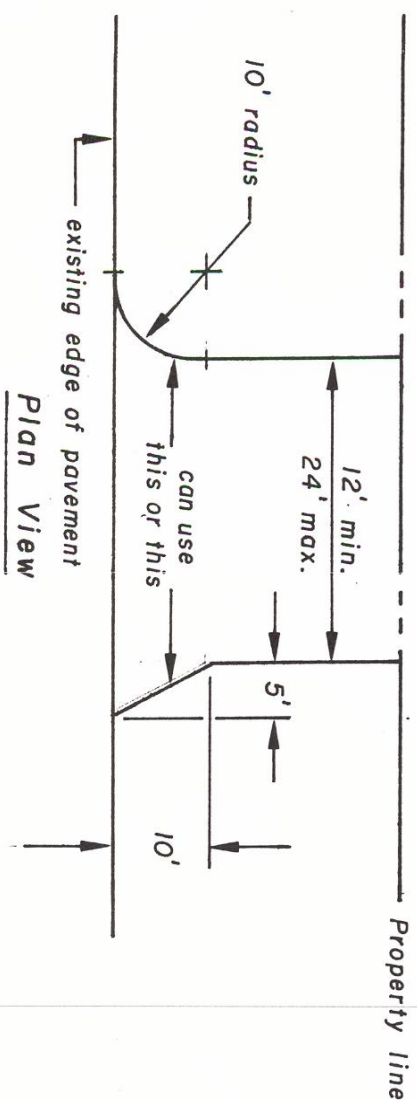
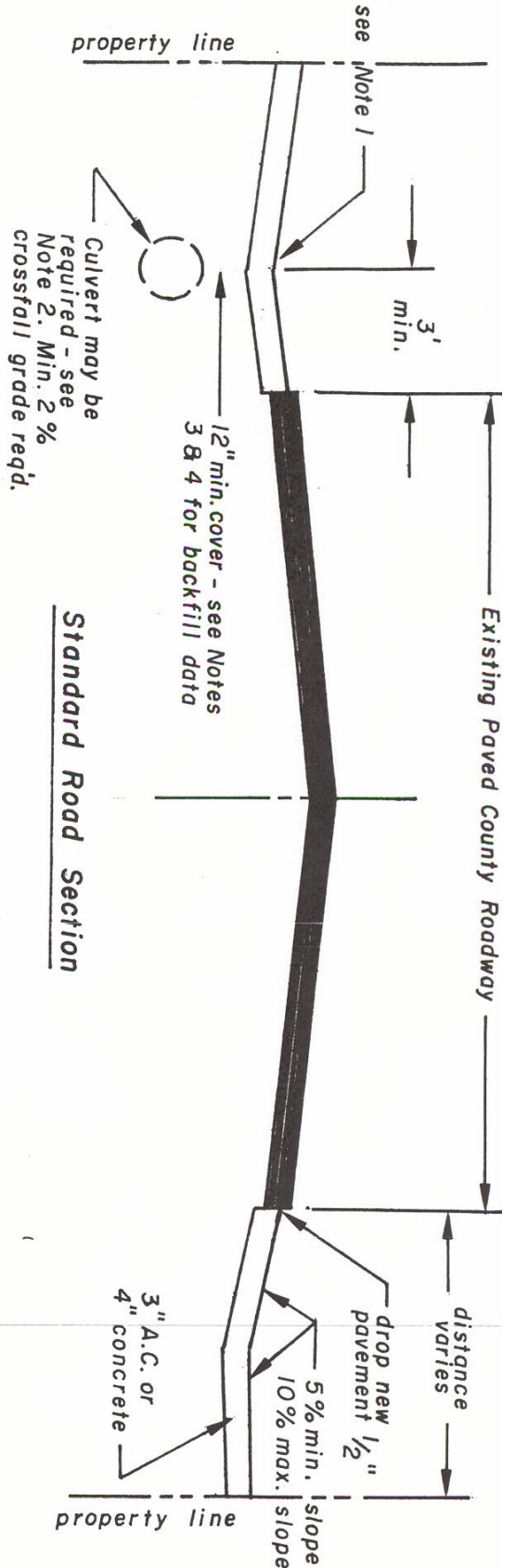
THIS DOCUMENT MUST BE SIGNED AND SUBMITTED WITH "ATTACHMENT A" AND THE APPROPRIATE FEES.

### Fees:

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- A. Single Residential Drive: \$210.00 application fee for all driveways plus a \$500.00 security deposit.
- B. Public Utility Blanket Permit: \$210.00 application fee plus a \$500.00 security deposit.  
(Covers routine maintenance activities and new service connections only). Renewable annually.
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**Notes :**

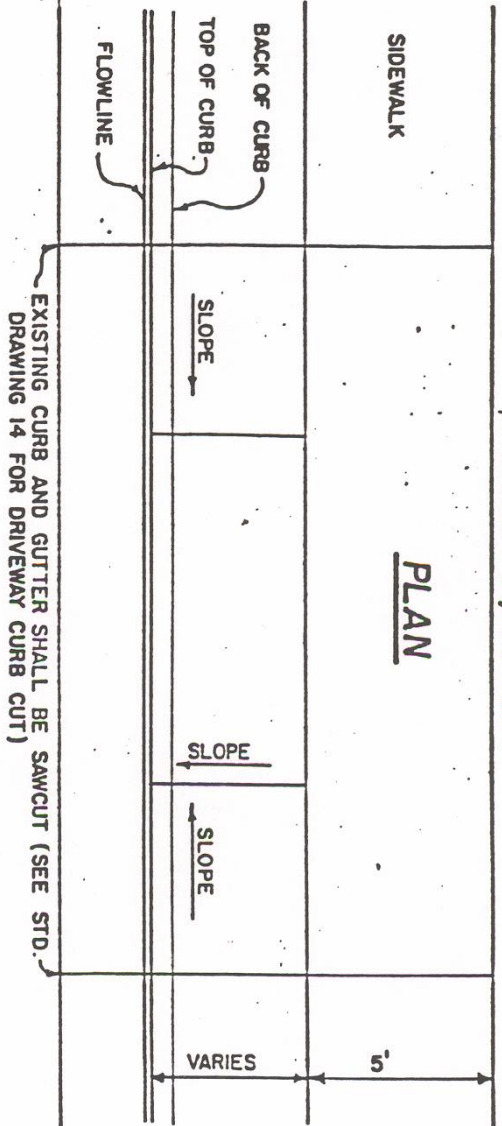
1. SEE PERMIT CONDITIONS FOR DIMENSIONS OF DRAINAGE DEPRESSION ACROSS DRIVEWAY.
2. CULVERT DRAIN PIPE (IF REQUIRED), SHALL BE A MIN. 16 GUAGE ALUMINUM OR STEEL CORRUGATED PIPE, 12" MIN. DIAMETER.
3. BACKFILL SHALL BE SELECT NATIVE MATERIAL, DECOMPOSED GRANITE OR 3/4" AGGREGATE BASE, COMPACTED TO 90% MIN.
4. SUBGRADE SHALL BE A MIN. OF 4" OF SELECT NATIVE MATERIAL, DECOMPOSED GRANITE OR 3/4" AGGREGATE BASE COMPACTED TO 90% MIN.
5. DRIVEWAY APPROACH SHALL BE 3" THICK TYPE B, 1/2" MAX. ASPHALT PAVING MIX OR 4" OF 6 SACK MIX CONCRETE.
6. PROPOSED MODIFICATIONS TO THESE STANDARDS MUST HAVE PRIOR APPROVAL FROM THE DEPARTMENT OF PUBLIC WORKS.
7. PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING DRIVEWAY APPROACH, INCLUDING CULVERT.

<b>MONO COUNTY</b>	
<b>RURAL</b>	
<b>RESIDENTIAL DRIVEWAY</b>	
<b>APPROACH</b>	
PUBLIC WORKS DEPT: 4-10-2000	

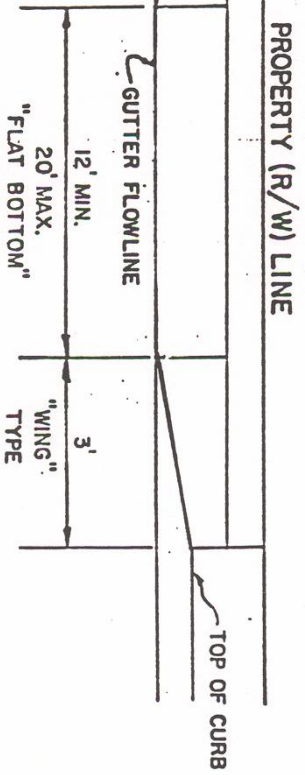
# PROPERTY (R/W) LINE

SIDEWALK

## PLAN



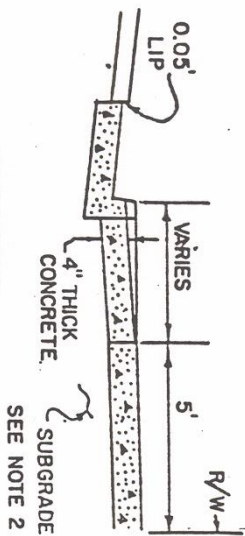
## ELEVATION



### NOTES:

1. PORTLAND CONCRETE CEMENT SHALL BE A 7 SACK MIX WITH A 5% AIR CONTENT.
2. SUBGRADE SHALL BE COMPACTED TO 90% MINIMUM.
3. MAXIMUM SLOPE OF DRIVE APPROACH SHALL BE  $\pm 10\%$  ON LESS OTHERWISE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
4. FLAT BOTTOM OF THE APPROACH SHALL NOT BEGIN CLOSER THAN 20 FEET FROM END OF CURB RETURN.
5. FORMS SHALL BE INSPECTED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO POURING CONCRETE.
6. SNOW REMOVAL FROM THE DRIVEWAY APPROACH SHALL NOT BE DEPOSITED WITHIN THE RIGHT-OF-WAY.

## SECTION



### MONO COUNTY

### RESIDENTIAL DRIVEWAY APPROACH IN CURB AND GUTTER

DRAWN: J.W.

DATE: 2-14-85

APPROVED:

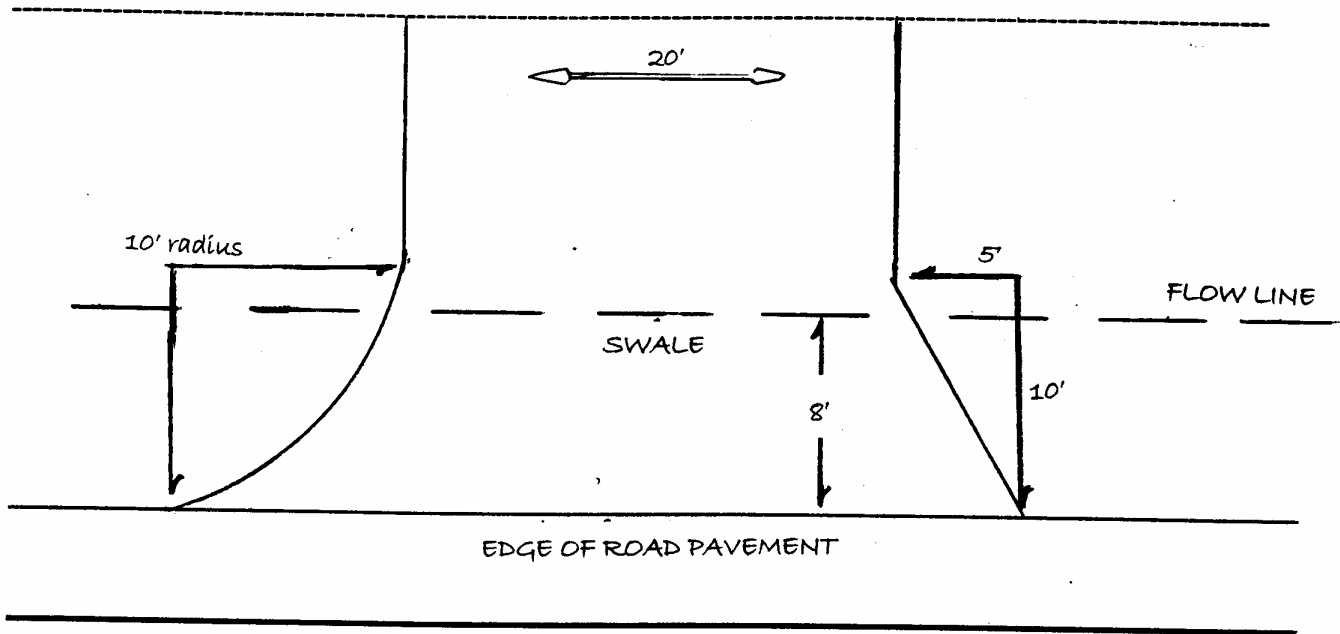
PUBLIC WORKS DEPT.

## “ATTACHMENT A”

PLEASE USE THIS SPACE TO DRAW YOUR PROJECT DIAGRAM:

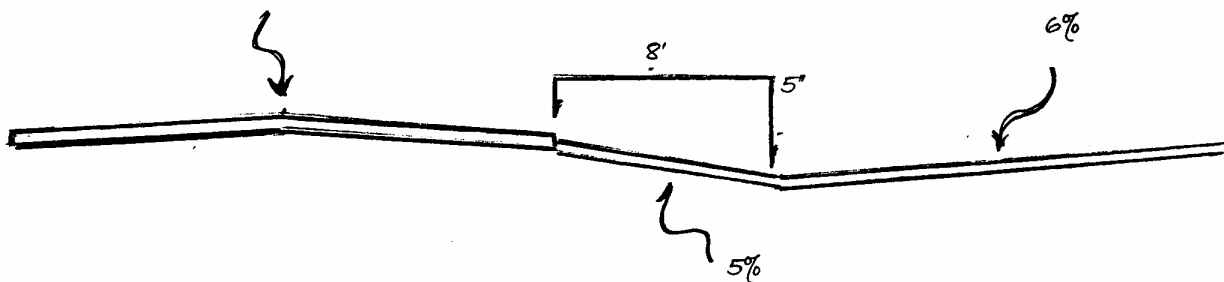
### PLAN

RIGHT OF WAY



### PROFILE

CENTER OF ROADWAY



**EXAMPLE !**



# **“ATTACHMENT A”**

**PLEASE USE THIS SPACE TO DRAW YOUR PROJECT DIAGRAM:**

## ENCROACHMENTS AND EXCAVATIONS

### Sections:

- 13.04.010 Definitions.
- 13.04.020 Permit – Required.
- 13.04.021 Exceptions.
- 13.04.030 Work authorized by permit.
- 13.04.040 Permittee payment responsibility.
- 13.04.050 Blanket permit.
- 13.04.060 Permit – Fee.
- 13.04.070 Bond or cash deposit required.
- 13.04.080 Violation – Civil liability.
- 13.04.090 Enforcement.

#### 13.04.010 Definitions.

As used in this chapter:

- A. “Encroachment” includes any tower, pole, pole line, pipeline, fence, billboard, stand, driveway, building excavation or any structure or object of any kind or character not particularly mentioned in this subsection, which is placed in, under or over any portion of the entire width of right of way of a county highway;
- B. “Highway” includes all or any part of the entire width of right of way of a county highway, road, street or alley, whether or not such entire area is actually used for highway purposes;
- C. “Person” means any person, firm, partnership, association, corporation, district or organization;
- D. “Road commissioner” means the county director of transportation appointed pursuant to Section 2006.1, Streets and Highways Code, laws of the state;
- E. “Signs” and terms related to signing and advertising are defined in the Outdoor Advertising Act, Section 5200 et seq. of the Business and Professions Code, laws of the state. (Ord. 93-02 § 2, 1993; Ord. 417 § 1, 1971.)

#### 13.04.020 Permit – Required.

A. It is unlawful for any person to make any encroachment in, under, over or on any county highway without first having obtained written permit from the county road commissioner. The road commissioner is authorized to issue written permits, as provided herein, authorizing the permittee to do any of the following acts:

- 1. Make an opening or excavation for any purpose in any county highway;
- 2. Place, change or renew any encroachment;
- 3. Place or display in, under or over any county highway any kind of informational sign or device when such sign or device informs the public of some unique geographical feature or natural phenomena. Any sign or device placed contrary to the provisions hereof is a public nuisance and may be removed immediately.

#### 13.04.010

Nothing herein contained shall prohibit the posting of any notice in the manner required by law or by the order of any court of this state;

- 4. Plant, remove, cut down, injure or destroy any tree, shrub, plant or flower growing along such county highway.
- B. The permit or a copy thereof shall be kept at the job site during construction and/or installation. (Ord. 417 § 2, 1971.)

#### 13.04.20 Exceptions.

The following are exceptions to Section 13.04.020:

A. Those building permit applications for porches, decks, garages, agricultural buildings, and such other additions or remodeling projects that do not allow for, or would permit, increased occupant densities. Applications shall be submitted requesting that an exception be granted. The director of public works shall receive the request for exception and, upon proper finding, issue the exception. (Ord. 81-417-A § 2, 1981.)

#### 13.04.030 Work authorized by permit.

Any act done under the authority of a written permit, issued pursuant to the provisions of this chapter, shall be done in accordance with the provisions of this chapter and the terms and conditions specified in the permit. (Ord. 417 § 3, 1971.)

#### 13.04.040 Permittee payment responsibility.

Any permit issued pursuant to the provisions of this chapter shall provide that the permittee will pay the entire expense of replacing the highway in as good condition as before, and may provide such other conditions as the road commissioner may require for the protection of the highway. (Ord. 417 § 4, 1971.)

#### 13.04.050 Blanket permit.

A city, public corporation, political subdivision or special district may, at the discretion of the road commissioner, be issued a blanket permit, renewable annually, for the installation of service connections and for ordinary maintenance of its facilities located or installed in county

highways, but this permit may be revoked at the discretion of the road commissioner if the permittee fails to comply with the terms of this chapter and of such permit. (Ord. 417 § 5, 1971.)

13.04.060 Permit – Fee.

Persons applying for permits under this chapter shall pay a fee in an amount set by resolution of the board of supervisors, not to exceed the county's costs of administering this chapter. (Ord. 00-02 § 2, 2000; Ord. 82-417-B § 1, 1982; Ord. 81-488-A § 1, 1981; Ord. 81-417-A § 1, 1981; Ord. 80-488 § 1, 1980; Ord. 74-446 Art. III § 17, 1974; Ord. 417 § 6, 1971.)

13.04.070 Bond or cash deposit required.

Each permittee shall be required to furnish a bond or cash deposit sufficient to defray the cost of repairing the highway, the amount thereof to be specified in the permit. (Ord. 417 § 7, 1971.)

13.04.080 Violation – Civil liability.

Any person violating any of the provisions of this chapter is civilly liable in damages to the county for the reasonable value of the cost or removal of any encroachment and the cost of the repair of any county highway. Such action may be maintained by county road commissioner for and on behalf of the county. (Ord. 417 § 8 (part), 1971.)

13.04.090 Enforcement.

The provisions of this chapter may be enforced by any peace officer, the county road commissioner or any person duly authorized. (Ord. 417 § 10, 1971.)